

## Environmental Protection Agency

§ 52.820

Indianapolis local agency, the Indianapolis Air Pollution Control Division, on viable alternatives and will keep USEPA up to date on its progress. OAM anticipates that specific criteria for determining compliance will be incorporated into the sources' operation permits (and forwarded to USEPA for informational purposes), and, should the opportunity arise, 326 IAC 15-1 will be revised to similarly incorporate capture efficiency criteria.

[53 FR 12905, Apr. 19, 1988, as amended at 53 FR 38722, Oct. 3, 1988; 54 FR 33896, Aug. 17, 1989]

### **§ 52.798 Small business stationary source technical and environmental compliance assistance program.**

The Indiana program submitted on January 14, 1993, as a requested revision to the Indiana State Implementation Plan satisfies the requirements of section 507 of the Clean Air Act Amendments of 1990.

[58 FR 46544, Sept. 2, 1993]

## Subpart Q—Iowa

### **§ 52.820 Identification of plan.**

(a) Title of plan: "State of Iowa Air Pollution Control Implementation Plan."

(b) The plan was officially submitted on January 27, 1972.

(c) The plan revisions listed below were submitted on the dates specified:

(1) Request for a two-year extension to meet the National Primary and Secondary Ambient Air Quality Standards for nitrogen dioxide in the Metropolitan Omaha-Council Bluffs Interstate Air Quality Control Region was submitted by the Governor on January 27, 1972. (Non-regulatory)

(2) Revisions of Appendices D and G of the plan were submitted on February 2, 1972, by the State Department of Health. (Non-regulatory)

(3) Source surveillance and record maintenance statements were submitted on April 14, 1972, by the State Department of Health. (Non-regulatory)

(4) Revised statement regarding public availability of emission data was submitted on May 2, 1972, by the State Department of Health. (Non-regulatory)

(5) State submitted Senate File 85 which created the Department of Environmental Quality and replaced the Iowa air pollution control statute which appeared as Chapter 136B of the Code of Iowa, on May 4, 1972. (Regulatory)

(6) A letter describing the issuance of a Certificate of Acceptance for the local air pollution control programs conducted by the Linn County Board of Health for the jurisdictions of the City of Cedar Rapids and Linn County, and the Des Moines-Polk County Health Department for the jurisdictions of the City of Des Moines and Polk County was submitted by the State Department of Health on December 14, 1972. (Non-regulatory)

(7) Compliance schedules were submitted by the State in February 1973. (Regulatory)

(8) Compliance schedules were submitted by the State in May 1973. (Regulatory)

(9) The State of Iowa High Air Pollution Episode Contingency Plan was submitted on June 20, 1973, by the Governor.

(10) The letter which requested the inclusion of the Linn County Health Department Rules and Regulations, the City of Cedar Rapids Air Pollution Control Ordinance, the Polk County Rules and Regulations—Air Pollution Control, and the City of Des Moines Air Pollution Control Regulations in the State of Iowa implementation plan was submitted by the State Department of Environmental Quality on June 25, 1974. (No approval action was taken on the request because it did not meet the procedural requirements specified in 40 CFR part 51.)

(11) Revisions of Rules 2.1, 3.1, 3.4, 4.1, 4.3(3) and 4.3(4) of the Iowa Rules and Regulations Relating to Air Pollution Control were submitted on April 24, 1974 (by the Governor's office). (No approval or disapproval action was taken on amended Subrule 4.3(3)a., which restricts emissions of sulfur oxides from fuel-burning sources.) (Regulatory)

(12) Compliance schedules were submitted by the State in May 1974.

(13) Compliance schedules were submitted by the State in May 1974.

(14) Compliance schedules were submitted by the State in July 1974.

(15) Compliance schedules were submitted by the State in August 1974.

(16) A letter from the Director of the Department of Environmental Quality, dated August 29, 1974, which requested that no further action be taken on Subrule 4.3(3) a. as submitted on April 24, 1974. (Regulatory)

(17) Compliance schedules were submitted by the State in September 1974.

(18) Compliance schedules were submitted by the State in November 1974.

(19) Compliance schedules were submitted by the State in February 1975.

(20) Compliance schedules were submitted by the State in April 1975.

(21) Compliance schedules were submitted by the State in June 1975.

(22) Revisions of Rules 1.2, 2.1, 3.1, 3.4, 4.1, 4.2, 4.3, 5.1, 7.1, 8.3 and 8.4 of the Iowa Rules and Regulations Relating to Air Pollution Control were submitted on July 17, 1975, by the Governor's office. (Regulatory) (No approval or disapproval action was taken on Subrules 4.3(2)c. or 4.3(3)b.)

(23) Summary of the public hearing which was held on the revised rules which were submitted on July 17, 1975, by the Governor's office was submitted by the Iowa Department of Environmental Quality on September 3, 1975. (non-regulatory)

(24) Letter which withdrew amended Subrule 4.3(2)c. from the proposed Iowa plan revision submitted on July 17, 1975, was submitted by the Governor's office on January 20, 1976.

(25) Revisions to Rules 1.2, 2.1, 3.1, 3.2, 4.1, 4.3, 4.4, and new Chapters 14 and 52 of the Iowa Administrative Code Relating to Air Pollution Control were submitted June 9, 1976, by the Department of Environmental Quality (Subrules 4.3(3)a(1) and 4.3(3)a(5) were disapproved).

(26) Additional air quality modeling to support the sulfur dioxide emission standards of Subrules 4.3(3)a(1) and 4.3(3)a(2) was submitted March 4, 1977, by the Department of Environmental Quality (Non-regulatory).

(26a) Revisions of Rules 1.2, 4.3(2)b, 4.4(6), 4.4(12) and of Chapter 7 of the Iowa Administrative Code relating to Air Pollution Control were submitted June 20, 1977, by the Department of Environmental Quality.

(27) Nonattainment plan provisions as required by the Clean Air Act Amendments of 1977 were submitted on June 22, 1979, by the Department of Environmental Quality. The submission included amended rule 4.3(2) relating to fugitive dust and new rule 4.5 relating to offsets for particulate matter. The revisions included attainment plans for particulate in Mason City and Davenport, particulate and ozone in Cedar Rapids and particulate and carbon monoxide in Des Moines. The submission was disapproved in part for failure to meet the requirements of Section 173 and was conditionally approved with respect to several requirements.

(28) On October 8, 1979, the Iowa Department of Environmental Quality submitted additional information to support the June 22, 1979, submission.

(29) On November 16, 1979, the Iowa Air Quality Commission submitted additional information and commitments to allow approval or conditional approval of portions of the June 22, 1979, submission.

(30) Nonattainment plan provisions as required by the Clean Air Act Amendments of 1977 were submitted on April 18, 1980, by the Department of Environmental Quality. The submission included amended rule 4.3(2) relating to fugitive dust and amended rule 3.5 relating to particulate matter offsets. The revisions included plans to attain the secondary particulate standards for all areas designated nonattainment as of March 6, 1980. The submission was conditionally approved with respect to several requirements.

(31) The State of Iowa Lead State Implementation Plan was submitted on August 19, 1980 by the Director of the Department of Environmental Quality.

(32) Additional information to support the April 18, 1980 submission was submitted on September 16, 1980, by the Department of Environmental Quality.

(33) Additional information to support the April 18, 1980 submission was submitted on November 17, 1980, by the Department of Environmental Quality.

(34) A revised Chapter 5, dealing with excess emissions and malfunctions was submitted on December 23, 1980, by the Department of Environmental Quality.

(35) [Reserved]

(36) A letter was submitted dated January 19, 1981 by the Director of the Department of Environmental Quality which provided additional information concerning the Iowa Lead State Implementation Plan.

(37) A variance from 400—4.2(1) of the Iowa Administrative Code for the Iowa Army Ammunition Plant at Middletown, Iowa, was submitted on October 19, 1979 by the Executive Director.

(38) Revisions to Subrule 400—4.3(2)“c” relating to fugitive emissions control and a document describing how this subrule is to be enforced were submitted on June 1, 1981, by the Department of Environmental Quality.

(39) A schedule for studying nontraditional sources of particulate matter and for implementing the results of the studies in the form of control strategies was submitted on June 26, 1981 by the Department of Environmental Quality. (Non-Regulatory).

(40) Revisions to Subrule 400—4.3(2)“b” relating to particulate emissions from fuel burning sources were submitted on July 31, 1981, by the Department of Environmental Quality.

(41) The Iowa Ambient Air Monitoring Strategy was submitted July 15, 1981, by the Department of Environmental Quality (non-regulatory).

(42) A conditional permit containing an alternative emission reduction program for the Progressive Foundry, Inc., of Perry, Iowa, under 400-3.7 and 400-4.6 of the Iowa Administrative Code; and an administrative order setting forth a compliance schedule, were submitted on December 18, 1981, by the Executive Director. The conditional permit specifies particulate emissions not to exceed 16.3 pounds per hour from the gray iron cupola with a process weight rate not to exceed 8534 pounds per hour and specifies the casting shakeout exhaust system shall not exceed 0.05 grains per standard cubic foot nor 12.8 pounds per hour of particulate matter. The compliance schedule specifies a final compliance date of September 1, 1983.

(43) On July 1, 1983, the State's air pollution control regulations were recodified at Department 900, Title II, Chapters 20 through 29.

(44) Revised Chapter 22 regulations, dealing with new source review in non-attainment areas, were submitted on

July 18, 1984, by the Iowa Department of Water, Air and Waste Management. Subrules 22.5(4) g, i, and j remain unapproved. EPA will temporarily defer action on these subrules pending a May 14, 1985, commitment from the State to submit appropriate revisions.

(i) Incorporation by reference. Revised Chapter 22 regulations, dealing with new source review in nonattainment areas, adopted by the State on July 17, 1984.

(ii) Additional material. May 14, 1985, letter of commitment from the State to revise unapprovable portions of their Chapter 22 air pollution regulations.

(45) Revised Chapter 22 subrules 22.5(2) a and b; and revised subrules 22.5(4) g, i, and j, all relating to new source review in nonattainment areas, were submitted on December 31, 1985, by the Iowa Department of Water, Air and Waste Management.

(a) Incorporation by reference.

(i) Revised Chapter 22 subrules 22.5(2) a and b; and subrules 22.5(4) g, i, and j, adopted by the State on December 17, 1985.

(ii) April 22, 1986, letter of commitment from the Iowa Department of Water, Air and Waste Management to submit stack height regulations by May 30, 1986, and to implement EPA's stack height requirements until such time that the regulations are fully approved.

(46) Revised Chapter 22 regulations pertaining to new source review in attainment and unclassified areas of the state (PSD) were submitted on March 9, 1987, by the Iowa Department of Natural Resources.

(i) Incorporation by reference.

(A) Iowa Administrative Bulletin (ARC 7446), amendments to Chapter 22, “Controlling Pollution,” adopted by the Iowa Environmental Protection Commission on February 17, 1987.

(B) Letter from Iowa dated April 22, 1987, committing to implementation of its stack height regulations in a manner consistent with EPA's stack height regulations with respect to new source review/PSD regulations.

(47) Revised Chapters 22 and 23 regulations pertaining to stack height credits for modeling purposes were submitted on May 20, 1986, by the Iowa Department of Natural Resources. Revised definition of "emission limitation" and "emission standard" at Iowa regulation 567.20.2(455B), Definitions.

(i) Incorporation by reference

(A) Iowa Administrative Bulletin (ARC 6566), amendments to Chapter 22, "Controlling Pollution" and Chapter 23, "Emission Standards for Contaminants" adopted by the Iowa Environmental Protection Commission on April 22, 1986, effective June 25, 1986.

(B) Iowa Administrative Bulletin (ARC 8023) amendment to 567-20.2(455B). Effective September 22, 1987.

(48) Revised Chapter 22, subrule 22.1(2)"d" exemptions from permit requirements were submitted on September 13, 1988, by the Iowa Department of Natural Resources. The revision clarifies permit exemptions for certain grain roasting equipment.

(i) Incorporation by reference.

(A) Amendment to Chapter 22, "Controlling Pollution," Iowa Administrative Code, subrule 22.1(2)"d", effective September 14, 1988.

(49) Revised Polk County, Iowa, Board of Health Rules and Regulations, Chapter V, Air Pollution, submitted by the Iowa Department of Natural Resources on February 3, 1988. EPA approves these regulations with the provision that any operating permit which changes any requirement of the Iowa SIP, including requirements in any construction permit, must be submitted to EPA, and approved, as a SIP revision. In the absence of such approval, the enforceable requirements shall be those in the Iowa SIP.

(i) Incorporation by reference.

(A) Ordinance No. 28, Amendment to Polk County Board of Health Rules and Regulations chapter V, Air Pollution, Article I, 5-1 and 5-2 (except for variance); Article II, 5-3; and Article X, 5-28 through 5.50-1 (except for 5-49 and 5-50), effective October 8, 1987.

(ii) Additional material.

(A) None.

(50) Revised Linn County, Iowa, Chapter 10 Ordinance "Air Pollution Control" submitted as a SIP revision by the Iowa Department of Natural Resources

on February 3, 1988. EPA approves these regulations with the provision that any operating permit which changes any requirement of the Iowa SIP, including requirements in any construction permit, must be submitted to EPA, and approved, as a SIP revision. In the absence of such approval, the enforceable requirements shall be those in the Iowa SIP.

(i) Incorporation by reference.

(A) Linn County Chapter 10 Ordinance "Air Pollution Control" sections 10.1 (except for 10.1(50)), 10.2, 10.3, and 10.4, adopted by the Linn County Board of Supervisors on September 2, 1987.

(ii) Additional material.

(A) None.

(51) Revised Iowa regulations pertaining to PM<sub>10</sub> were submitted by the state on October 28, 1988. These rules became effective on December 21, 1988.

(i) Incorporation by reference.

(A) Amended Iowa Administrative Code pertaining to the prevention, abatement, and control of air pollution: Chapter 20, "Scope of Title—Definitions—Forms—Rules of Practice;" Chapter 22, "Controlling Pollution;" Chapter 26, "Prevention of Air Pollution Emergency Episodes;" and Chapter 28, "Ambient Air Quality Standards," effective December 21, 1988.

(ii) Additional information.

(A) None.

(52) Revised chapter 22, subrule 22.4(1), submitted on May 7, 1990, incorporates by reference revised EPA Modeling Guideline Supplement A, July 1987, and recodified air quality rules chapter 20-29.

(i) Incorporation by reference.

(A) Amendment to chapter 22, "Controlling Pollution," Iowa Administrative Code, subrule 22.4(1). Effective March 14, 1990.

(B) Recodification of Iowa Administrative Code, title II—Air Quality, chapters 20-29, effective December 3, 1986.

(53) Revised chapter 22, rule 22.4(455B), submitted on November 8, 1990, incorporates by reference revised EPA PSD rules pertaining to NO<sub>x</sub> increments.

(i) Incorporation by reference

(A) Amendment to chapter 22, "Controlling Pollution," Iowa Administrative Code, subrule 22.4, adopted by the

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Environmental Protection Commission on October 17, 1990, effective November 21, 1990.

(ii) Additional material

(A) Letter from the state dated November 8, 1990, pertaining to NO<sub>x</sub> rules and analysis which certifies the material was adopted by the state on October 17, 1990.

(54) On March 13, 1991, the Iowa Department of Natural Resources (IDNR) submitted a plan revision pertaining to major SO<sub>2</sub> sources in Clinton County, Iowa.

(i) *Incorporation by reference.* (A) Administrative Consent Order #90-AQ-10, signed by Larry Wilson, Director, IDNR, dated July 5, 1990, and revision dated March 25, 1991. Also, three letters to Archer-Daniels-Midland (ADM) Company dated June 20, 1990, signed by Michael Hayward, IDNR, which contain or reference new or revised permit conditions for ADM sources, and a letter to ADM from IDNR dated February 26, 1991, correcting certain permit provisions.

(B) Administrative Consent Order #89-AQ-04, signed by Larry Wilson, Director, IDNR, dated February 21, 1990. Also, two letters to Interstate Power Company dated January 25 and 29, 1990, and signed by Michael Hayward, IDNR, which contain supplemental permit condition for permits 74-A-117-S and 78-A-157-S.

(ii) *Additional material.* (A) Letter and supplemental material from Larry J. Wilson to Morris Kay dated March 13, 1991.

(55) Revised Polk County, Iowa Board of Health Rules and Regulations, chapter V, Air Pollution, submitted by the Iowa Department of Natural Resources on May 23, 1991.

(i) *Incorporation by reference.* (A) Polk County Board of Health Rules and Regulations, chapter V, Air Pollution, Ordinances 28, 72 and 85, effective May 1, 1991, except for the following: Article I, definition of variance; Article VI, Section 5-16 (n), (o), and (p); Article VI, Section 5-17(d), variance provision; Article VIII; Article IX, Sections 5-27(3) and 5-27(4); and Article X, Division 5—Variance.

(ii) *Additional material.* (A) Letter from Allan Stokes to William A. Spratlin dated October 23, 1991.

(56) Revised Chapter 23, rule 23.2, submitted on October 3, 1991, incorporates changes to the open burning rule.

(i) Incorporation by reference.

(A) Amendment to Chapter 23, "Emission Standards for Contaminants," Iowa Administrative Code, subrule 23.2, adopted by the Environmental Protection Commission, effective September 12, 1990.

(ii) Additional information.

(A) Letter from Allan Stokes, IDNR, to William Spratlin, dated October 3, 1991.

(57) On January 5, 1993, the Iowa Department of Natural Resources (IDNR) submitted air quality rule revisions to Iowa Administrative Code, Chapters 20, 22, 23, 24, 25, 29, and revisions to the Compliance Sampling Manual.

(i) Incorporation by reference.

(A) Revisions to Chapter 20 (20.2), Scope of Title-Definitions-Forms-Rules of Practice; Chapter 22 (22.3(1), 22.4, 22.5(2)), Controlling Pollution; Chapter 23 (23.2(3), 23.3(2), 23.3(3), 23.4(12)), Emission Standards for Contaminants; Chapter 24 (24.1(1), 24.1(5)), Excess Emission; Chapter 25, (25.1(7), 25.1(9)), Measurement of Emissions and rescind 25.1(10)d; and Chapter 29 (29.1), Qualification in Visual Determination of the Opacity of Emissions. These revisions were adopted by the Iowa Environmental Protection Commission on December 21, 1992, and became effective on February 24, 1993.

(ii) Additional material.

(A) Letter from Larry Wilson, IDNR, to Morris Kay, EPA, dated January 5, 1993, and the Compliance Sampling Manual, revised December 1992.

(58) A plan for implementation of the Small Business Stationary Source Technical and Environmental Compliance Assistance Program was submitted by the Iowa Department of Natural Resources as a revision to the Iowa SIP on December 22, 1992.

(i) Incorporation by reference.

(A) Revisions to the Iowa State Implementation Plan for the Small Business Stationary Source Technical and Environmental Compliance Assistance Program dated December 1992.

(59) On May 5, 1994, the Director of the Iowa Department of Natural Resources submitted revisions to the State Implementation Plan (SIP) to

update the state's incorporation by reference and conformity to various federally approved regulations.

(i) Incorporation by reference.

(A) Revised rules, "Iowa Administrative Code," effective January 12, 1994. This revision approves an amendment to paragraph 23.2(3)g pertaining to open fires burned for the purpose of training fire-fighting personnel.

(B) Revised rules, "Iowa Administrative Code," effective April 20, 1994. This revision approves amendments to rules 22.4; 23.3(2)d (3) and (4); 23.4(6); and 25.1(9). These rules concern the update of the state's incorporation of prevention of significant deterioration and test method requirements.

(ii) Additional material. None.

(60) On May 5, 1994, the Director of the Iowa Department of Natural Resources submitted revisions to the State Implementation Plan (SIP) to update the state's incorporation by reference and conformity to various Federally approved regulations.

(i) Incorporation by reference.

(A) Revised rules, "Polk County Ordinance No. 132—Polk County Board of Health Rules and Regulations," effective December 2, 1993. This revision approves all articles in Chapter V, except for Article VI, Section 5-16(n) and (p), Article VIII, and Article XIII.

(ii) Additional material.

(A) None.

(61) On October 18, 1994, and January 26, 1995, the Director of the Iowa Department of Natural Resources submitted revisions to the state implementation plan (SIP) to include special requirements for nonattainment areas, provisions for use of compliance, and enforcement information and adoption of EPA definitions. These revisions fulfill Federal regulations which strengthen maintenance of established air quality standards.

(i) Incorporation by reference.

(A) Revised rules "Iowa Administrative Code," effective November 16, 1994. This revision approves revised rules 567-20.2, 567-22.5(1)a, 567-22.5(1)f(2), 567-22.5(1)m, 567-22.5(2), 567-22.5(3), 567-22.5(4)b, 567-22.5(6), 567-22.5(7), 567-22.105(2), and new rule 567-21.5. These rules provide for special requirements for nonattainment areas, provisions for use of compliance and enforcement in-

formation and adopts EPA's definition of volatile organic compound.

(B) Revised rules, "Iowa Administrative Code," effective February 22, 1995. This revision approves new definitions to rule 567-20.2. This revision adopts EPA's definitions of "EPA conditional method" and "EPA reference method."

(ii) Additional material.

None.

(62) [Reserved]

(63) On December 8, 1994; February 16, 1996; and February 27, 1996, the Director of the Iowa Department of Natural Resources submitted revisions to the State Implementation Plan (SIP) to create a voluntary operating permit program as an alternative to Title V. These revisions strengthen maintenance of established air quality standards.

(i) Incorporation by reference.

(A) "Iowa Administrative Code," sections 567-22.200-22.208, effective December 14, 1994. These rules create the voluntary operating permit program.

(B) "Iowa Administrative Code," sections 567-22.201(1)"a" and 22.206(1)"h", effective January 11, 1995.

(C) "Iowa Administrative Code," section 567-22.203(1)"a"(1), effective February 24, 1995.

(D) "Iowa Administrative Code," sections 567-20.2; 22.200; 22.201(1)"a" and "b"; 22.201(2)"a"; and 22.206(2)"c", effective October 18, 1995.

(ii) Additional material.

(A) Letter from Allan E. Stokes, Iowa Department of Natural Resources, to William A. Spratlin, U.S. EPA, dated February 16, 1995. This letter outlines various commitments by the state to meet requirements outlined by the EPA.

[37 FR 10865, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.820, see the List of CFR Sections Affected in the Finding Aids section of this volume.

#### § 52.821 Classification of regions.

The Iowa plan was evaluated on the basis of the following classification: